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9 Attorneys for Plaintiff

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA,) No. CR 09-00670; 11-00554 EJD
15 Plaintiff,)
16 v.) STIPULATION AND [PROPOSED]
17 DAVID RUSSELL FOLEY,) ORDER CONTINUING SENTENCING
18 Defendant.) FROM JULY 29, 2013 TO AUGUST 19,
19) 2013

21 The parties, including the defendant, stipulate as follows:

22 1. The sentencing for defendant David Russell Foley (“defendant”) is currently scheduled
23 for July 29, 2013.

24 2. The Presentence Report (“PSR”) was disclosed to the parties on June 24, 2013. On July
25 7, 2013, defendant served his written objections to the PSR. The Probation Office and the
26 government need additional time to review and respond to defendant’s objection.

27 3. The Probation Office does not oppose a continuance to August 19, 2013.

28

1 IT IS SO STIPULATED:

2 MELINDA HAAG
United States Attorney

3 DATED: July 9, 2013

4 _____/s/
5 SUSAN KNIGHT
HANLEY CHEW
Assistant United States Attorneys

6 DATED: July 9, 2013

7 _____/s/
8 JEROME MULLINS
Counsel for Defendant
9 DAVID RUSSELL FOLEY

10 **[PROPOSED] ORDER**

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing
12 currently scheduled for July 29, 2013 in the above-captioned case be continued to August 19,
13 2013.

14 IT IS SO ORDERED.

15 DATED: 7/12/2013

16 
17 HONORABLE EDWARD J. DAVILA
18 United States District Judge